



Trent Vale Infant and Nursery School

and

Beeston Rylands Junior School



SCHOOL COMPLAINTS POLICY and PROCEDURE, and POLICY for UNREASONABLE COMPLAINANTS

INTRODUCTION

- **THIS DOCUMENT IS** a statement of the principles and procedure for complaints at Trent Vale Infant and Nursery School and Beeston Rylands Junior School
- **IT WAS DEVELOPED** from guidance from the DfE and LA and through a process of consultation with staff and governors in 2014
- **IT HAS BEEN** continuously reviewed, updated and approved by the Governing Body and staff in accordance to revised DfE and LA guidance
- It is **REVIEWED ANNUALLY**.

Date of review	Autumn 2018	Autumn 2019	Autumn 2020
Signed			

Complaints Policy

Trent Vale Infant and Nursery School and Beeston Rylands Junior School both follow the advice and guidelines of the Department of Education and Local Authority

We aim to make our schools a happy, safe and caring place so that pupils may benefit from the best possible education. All of our staff, both teaching and non-teaching, are dedicated to this aim. If you think we are not living up to your expectations, we would like to know so that we may have the opportunity to put things right. We would also like to hear about the things you think we do well.

We will treat all concerns and complaints seriously and courteously and will advise parents and others of the school's procedures for dealing with their concerns. In return, we expect parents and other complainants to behave respectfully towards all members of the school community. In particular, any disagreement with the school should not be expressed inappropriately, in front of pupils or using social media.

All school staff and members of the governing body will receive a copy of this policy statement and will be familiar with the school's procedures for dealing with concerns and complaints, to which they will have access as required. The policy will be available on request to any affected party.

Staff and governors will receive training in handling concerns and complaints as appropriate. This may be on an individual basis, or as a group activity for all staff, or for specific groups, such as the office staff or members of the governing body.

Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. We will, therefore, use our option to close a complaint before all the stages of the school's procedures have been exhausted, if this appears to be appropriate.

The government and the Local Authority (LA) advocate resolution of all concerns and complaints at school level wherever possible, in the interests of maintaining good home/community/school relations. The role of the LA in advising complainants and schools on the handling of concerns and complaints is set out in the school's procedures.

The stages of the complaint

Procedure for Dealing with Complaints

The majority of concerns from parents, carers and others are handled under the following general procedures.

The procedure is divided into three stages:

- **The informal stage** aims to resolve the concern through informal contact at the appropriate level in school.
- **Stage one** is the first formal stage at which written complaints are considered by the headteacher or the designated governor, who has special responsibility for dealing with complaints.
- **Stage two** is the next stage once stage one has been worked through. It involves a complaints appeal panel of governors.

How each of these stages operates is explained below:

Informal stage – your initial contact with the school

1. Many concerns will be dealt with informally when you make them known to us. The first point of contact should be your child's class teacher.
2. Once your concern is made known to us, we will see you, or contact you by telephone or in writing, as soon as possible. If it is necessary, all members of staff know how to refer to the appropriate person with responsibility for your particular issues. He or she will make a clear note of the details and will check later to make sure that the matter has been followed up.
3. Any actions or monitoring of the situation that has been agreed, will be communicated clearly and we will confirm this in writing to you.
4. If necessary we will contact appropriate people who may be able to assist us with our enquiries into your concern.
5. We will normally update you on the progress of our enquiries within 10 school days. Once we have responded to your concern, you will have the opportunity of asking for the matter to be considered further.
6. If you are still dissatisfied following this informal approach, your concern will become a formal complaint and we will deal with it at the next stage.

Stage one - formal consideration of your complaint

This stage in our procedures deals with written complaints. It applies where you are not happy with the informal approach to dealing with your concern, as outlined above.

1. Normally, your written complaint should be addressed to the Headteacher. If, however, your complaint concerns the Headteacher personally, it should be sent to the school marked 'for the attention of the designated governor for complaints'. An investigating officer will be allocated. This may be the Headteacher or the designated governor for complaints but it may be another governor or a member of the Senior Leadership Team.
2. We will acknowledge your complaint in writing as soon as possible after receiving it. This will be within three school days.
3. We will enclose a copy of these procedures with the acknowledgement.
4. Normally we would expect to respond in full within 15 school days but if this is not possible we will write to explain the reason for the delay and let you know when we hope to be able to provide a full response.

5. As part of our consideration of your complaint, we may invite you to a meeting to discuss the complaint and fill in any details required. If you wish, you can ask someone to accompany you to help you explain the reasons for your complaint.
6. The Headteacher, investigating officer or the designated governor for complaints may also be accompanied by a suitable person if they wish.
7. Following the meeting, the Headteacher, investigating officer or the designated governor for complaints will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a pupil, we will talk to the pupil concerned and, where appropriate, others present at the time of the incident in question.
8. We will normally talk to pupils with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint, or where a pupil has specifically said that he or she would prefer the parent or carer not to be involved. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.
9. If the complaint is against a member of staff, it will be dealt with under the school's internal confidential procedures, as required by law.
10. The Headteacher or the designated governor for complaints will keep written/typed, signed and dated records of all meetings and telephone conversations, and other related documentation.
11. Once we have established all the relevant facts, we will send you a written response to your complaint. This will give an explanation of the Headteacher's or the designated governor for complaint's decision and the reasons for it. If follow-up action is needed, we will indicate what we are proposing to do. We may invite you to a meeting to discuss the outcome as part of our commitment to building and maintaining good relations with you.
12. The person investigating your complaint may decide that we have done all we can to resolve the complaint, in which case we may use our discretion to close the complaint at this point. Please see the next page for further information about this process.
13. If you are unhappy with the way in which we reached our conclusions, you may wish to proceed to stage two, as described below.

Stage two - consideration by a governors appeal panel

If the complaint has already been through stage one and you are not happy with the outcome as a result of the way in which the complaint has been handled, you can take it further to a governors' appeal panel. This is a formal process, and the ultimate recourse at school level.

The purpose of this arrangement is to give you the chance to present your arguments in front of a panel of governors who have no prior knowledge of the details of the case and who can, therefore, consider it without prejudice.

However, the aim of a panel is not to rehear the complaint. It is there to review how the complaint has been investigated and to determine whether this has been conducted fairly. It is there to establish facts and make recommendations which will reassure you that we have taken the complaint seriously.

The governors' appeal panel operates according to the following formal procedures:

1. The governing body will convene a panel of three governors and will aim to arrange for the panel meeting to take place within **20 school days** of receiving your request for a panel meeting.
2. You will be asked whether you wish to provide any further written documentation in support of your appeal.
3. The Headteacher or complaint investigator will be asked to prepare a pack of the documentation related to the investigation and the outcome for the panel. The panel can request additional information from other sources if necessary.

4. You will be informed, at least **five school days** in advance, of the date, time and place of the meeting. We hope you will feel comfortable with the meeting taking place in the school but we will do what we can to make alternative arrangements if you prefer.
5. With the letter, you will receive any relevant correspondence or reports regarding stage one and you will be asked whether you wish to submit further written evidence to the panel. Any additional documentation should be submitted prior to the review panel meeting.
6. The letter will explain what will happen at the panel meeting and that you are entitled to be accompanied to the meeting. The choice of person to accompany you is your own, but it is usually best to involve someone in whom you have confidence but who is not directly connected with the school. They are there to give you support but also to witness the proceedings and to speak on your behalf if you wish.
7. If it is necessary in the interests of ratifying the investigative process, the complaint investigator may, with the agreement of the chair of the panel, invite relevant witnesses directly involved in matters raised by you to attend the meeting.
8. The chair of the panel will bear in mind that the formal nature of the meeting can be intimidating for you and will do his or her best to put you at your ease.
9. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so a request must be made to the panel and, if allowed, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.
10. The chair of the panel will ensure that the meeting is properly minuted. Please understand that any decision to share the minutes with you, the complainant, is a matter for the panel's discretion and you do not have an automatic right to see or receive a copy as the minutes are the property of the governing body. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.
11. Normally, the written outcome of the panel meeting, which will be sent to you, should give you all the information you require. If, however, you feel that you would like to have a copy of the minutes it would be helpful if you could indicate this in advance.
12. During the meeting, you can expect there to be opportunities for:
 - a. the panel to hear you explain your case and your argument for why it should be heard at stage two;
 - b. the panel to hear the complaint investigator's case in response;
 - c. you to raise questions via the chair;
 - d. you to be questioned by the complaint investigator through the chair;
 - e. the panel members to be able to question you and the complaint investigator; and you and the Headteacher/complaint investigator to make a final statement.
13. In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to you and the Headteacher **within three school days**. All participants other than the panel and the clerk will then leave.
14. The panel will then consider the complaint and all the evidence presented in order to:
15. R each a unanimous, or at least a majority, decision on the case;
 - a. decide on the appropriate action to be taken, if necessary; and
 - b. recommend, where appropriate, to the governing body changes to the school's systems or procedures to ensure that similar problems do not happen again.
16. The clerk will send you and the Headteacher a letter outlining the decision of the panel. The letter will also explain that you are entitled to have the handling of the complaint reviewed by the Secretary of State for Education.

17. We will keep a copy of all correspondence and notes on file in the school's records but separate from pupils' personal records.

Closure of complaints

- Very occasionally, the school will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied.
- We will do all we can to help to resolve a complaint against the school but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".
- If a complainant persists in making representations to the school – to the headteacher, designated governor, chair of governors or anyone else – or to the LA, this can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.
- For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint and that the complaint has exhausted our official process.
- In exceptional circumstances, closure may occur before a complaint has reached stage two of the procedures described in this document. This is because a complaints panel takes considerable time and effort to set up and we must be sure that it is likely to assist the process of investigating the complaint.

The designated governor for complaints may decide, therefore, that every reasonable action has been undertaken to resolve the complaint and that a complaints review panel would not help to move things forward.

Where you have been through the school's internal complaints procedures (with or without recourse to a complaints review panel) and are still unhappy with the outcome or decision from the governing body, you can contact the Secretary of State for Education via the DfE website www.education.gov.uk, by telephoning 0370 000 2288 or by writing to the address below:

The School Complaints Unit (SCU)
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

Please enclose with your letter to the DfE a copy of the complaint outcome. This will save time in that the DfE will not need to ask for our view of what has happened.

Serial and Persistent Complainants

The school will follow the DfE guidance 'Best Practice Advice for School Complaints Procedures 2016' if they view a complaint to be serial or persistent. If we view a complaint to be unreasonable we will follow the following policy.

Policy for Unreasonable Complainants

Both Trent Vale Infant and Nursery School and Beeston Rylands Junior School are committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Trent Vale Infant and Nursery School and Beeston Rylands Junior School define unreasonable complainants as '*those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints*'.

A complaint may be regarded as unreasonable when the person making the complaint:-

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Headteacher or the designated governor for complaints will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Trent Vale Infant and Nursery School or Beeston Rylands Junior School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Trent Vale Infant and Nursery School and/or Beeston Rylands Junior School.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community. If a parent's behaviour is a cause for concern, Trent Vale Infant and Nursery School and/or Beeston Rylands Junior School, will ask him/her to leave school premises. In serious cases, the Headteacher or the local authority can notify them in writing that their implied licence to be on either school's premises has been temporarily revoked subject to any representations that the parent may wish to make. School will always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Executive Headteacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, this avenue of appeal is not available.

**Trent Vale Infant and Nursery School and Beeston Rylands Junior School
Complaints Recording Form**

Complaints / Feedback form

Personal Details:

Name:

Address:

Postcode:

Daytime telephone number :

Evening telephone number:

If applicable, name of child(ren) and year at the school(s):

Your relationship to the school, e.g. parent, carer, neighbour, member of the public, student:

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint?

Who did you speak to, when and what was the response?

What actions do you feel might resolve the problem at this stage?

Signature

Date

Official Use:

Date of acknowledgment

By whom

Complaint referred to

Date